

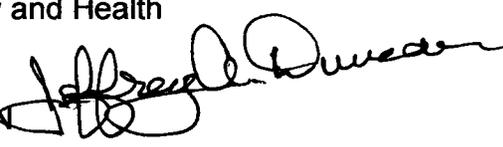
**U.S. Department of Labor**

Mine Safety and Health Administration  
201 12th Street South  
Arlington, Virginia 22202-5452



JUN 21 2016

MEMORANDUM FOR NEAL H. MERRIFIELD  
Administrator for Metal and  
Nonmetal Mine Safety and Health

FROM: JEFFREY A. DUNCAN   
Committee Chair  
Director for Educational Policy and Development

SUBJECT: Chargeability Review Committee Decision

**Case No.:** 2016-M-02-

**Deceased:** 

**Date of Incident:** January 27, 2016

**Date of Death:** January 27, 2016

**Operator:** Newmont USA Limited

**Mine:** Cripple Creek and Victor Gold Mine

**Contractor:** Trimac Transportation Service

**Death Certificate Released:** March 04, 2016

**Autopsy Conducted:** January 29, 2016

**Decision:** Not chargeable

I have reviewed the investigative reports in the death of  and determined it should not be charged to the mining industry. , a 59 year-old contractor truck driver, was part of a two-person team delivering bulk acid (cyanide) to the mine. The deceased was resting in the sleeper compartment and failed to respond when the other driver signaled him that they had arrived at the mine site. The other driver parked the truck and pulled back the curtain to the sleeper compartment to awaken him. He was not breathing and efforts to resuscitate him failed.  was declared dead at the scene.

MSHA's investigation was conducted between January 27, 2016 and February 01, 2016. No physical or environmental factors that could have contributed to the death were identified. The death certificate and autopsy indicated that the manner of death was natural and that the cause of death was atherosclerotic cardiovascular disease.

Based on these findings, I have determined that [REDACTED] died due to natural causes and that his death should not be charged to the mining industry.

cc: Joseph A. Main  
Patricia W. Silvey  
Laura V. McClintock